(എ) കേരളത്തിലെ ഫയർഫോഴ്സ് ട്രെയിനികൾക്ക് ഇന്ന് എത്ര രൂപയാണ് സ്റ്റൈപ്പന്റ് നൽകുന്നത്;

(ബി) സ്റ്റൈപ്പന്റ് വർദ്ധിപ്പിക്കാൻ സർക്കാർ ഉദ്ദേശിക്കുന്നുണ്ടോ; എങ്കിൽ വർദ്ധനവ് എപ്പോൾ മുതൽ നൽകുമെന്നു വ്യക്തമാക്കുമോ?

ഉത്തരം

(എ) 950/- രൂപ.

(ബി) പരിഗണനയിലാണ്.

88 (2274) കൂത്തുപറമ്പിൽ ഫയർസ്റ്റേഷന്റെ നിർമ്മാണം

ശ്രീമതി കെ.കെ. ശൈലജ ടീച്ചർ : താഴെ കാണുന്ന ചോദ്യങ്ങൾക്ക് മുഖ്യമന്ത്രി സദയം മറുപടി നൽകുമോ:

(എ) കൂത്തുപറമ്പിൽ അനുവദിച്ചിട്ടുള്ള ഫയർസ്റ്റേഷന്റെ നിർമ്മാണം പൂർത്തിയായിട്ടുണ്ടോ;

(ബി) ഇല്ലെങ്കിൽ ഇതിന്റെ നിർമ്മാണം ഏത് ഘട്ടത്തിലാണ് എന്ന് അറിയിക്കുമോ?

ഉത്തരം

(എ)&(ബി) ഫയർസ്റ്റേഷൻ ആരംഭിക്കുന്നതിനുള്ള കെട്ടിടനിർമ്മാണത്തിൽ കാലതാമസം വന്നതിനാൽ ഫയർസ്റ്റേഷൻ ആരംഭിക്കുവാൻ കഴിഞ്ഞിട്ടില്ല.

89 (2275) കാസർഗോഡ് ദുർഗുണ പരിഹാര പാഠശാല

ശ്രീ പിവി രാഘവൻ : താഴെ കാണുന്ന ചോദ്യങ്ങൾക്ക് മുഖ്യമന്ത്രി സദയം മറുപടി നൽകുമോ :

(എ) കാസർഗോഡ് ഒരു ദുർഗുണ പരിഹാര പാഠശാല സ്ഥാപിക്കാൻ ഉദ്ദേശിക്കുന്നുണ്ടോ;

(ബി) ഇതിനുള്ള ഒരു കെട്ടിടം പൂർത്തിയായതായി സർക്കാരിന്റെ ശ്രദ്ധയിപ്പെട്ടിട്ടുണ്ടോ;

(സി) ഈ പാഠശാല ആരംഭിക്കാൻ താലതാമസം നേരിടുന്നത് എന്തുകൊണ്ടാണെന്ന് അറിയിക്കുമോ?

ഉത്തരം

(എ)&(ബി) ഇല്ല.

(സി) ഉദിക്കുന്നില്ല.

90 (2276) തീരദേശ നിയന്ത്രണ നിയമം

ശ്രീ സിടി അഹമ്മദ് അലി :

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ശ്രീ. പി.കെ. അബദുറബ്ബ് :

ശ്രീ. കെ.പി.എ. മജീദ് :

ശ്രീ. പി.കെ.കെ. ബാവ : താഴെ കാണുന്ന ചോദ്യങ്ങൾക്ക് മുഖ്യമന്ത്രി സദയം മറുപടി നൽകുമോ:

(എ) തീരദേശ നിയന്ത്രണ നിയമം കർശനമായി നടപ്പിലാക്കണമെന്ന് നിർദ്ദേശം നൽകിയിട്ടുണ്ടോ; എങ്കിൽ എന്നുമുതൽ;

(ബി) നിർദ്ദേശത്തിന്റെ പകർപ്പ് മേശപ്പുറത്ത് വയ്ക്കുമോ;

(സി) തദ്ദേശ ഭരണ സ്ഥാപനങ്ങളിലെ ഉദ്യോഗസ്ഥന്മാർക്ക് ഈ നിയമങ്ങളെ സംബന്ധിച്ച് ബോധനം നടത്തുന്നതിന് എന്തെങ്കിലും പരിപാടി ഉണ്ടോ; ഇല്ലെങ്കിൽ നടപ്പിലാക്കുമോ;

(ഡി) സോൺ തിരിച്ച് അടയാളപ്പെടുത്തുന്നതിന് നടപടി എടുത്തിട്ടുണ്ടോ; എങ്കിൽ വിശദമാക്കാമോ;

(ഇ) ഇത് സംബന്ധിച്ച വിവരം തദ്ദേശ സ്ഥാപനങ്ങൾക്ക് നൽകുമോ?

ഉത്തരം

(എ) ഉണ്ട്. 1991 ഫെബ്രുവരി 19-ാം തീയതി കേന്ദ്ര ഗവൺമെന്റ് പുറപ്പെടുവിച്ച തീരദേശ നിയമം കർശനമായി പാലിക്കണമെന്ന് നിഷ്കർഷിച്ചിട്ടുണ്ട്. കൂടാതെ ബഹു: സുപ്രീംകോടതി വിധിയുടെ പശ്ചാത്തലത്തിൽ തദ്ദേശ ഭരണവകുപ്പ് 29.9.97-ൽ 44277/ഇ3/96/എൽ.എ.ഡി. നമ്പരായി തീരദേശ നിയമം കർശനമായി പാലിക്കണമെന്ന് തദ്ദേശ സ്വയംഭരണ സ്ഥാപനങ്ങൾക്ക് നിർദ്ദേശം നൽകിയിട്ടുണ്ട്.† കൂടാതെ ബഹു: കേരളാ ഹൈക്കോടതിയുടെ 20278/97/എന്ന ഒ.പി.യിലെ 24.3.99 ലെ വിധിയുടെ പശ്ചാത്തലത്തിൽ സ.ഉ.(ആർ.ടി) 192/99/സ്റ്റെഡ് തീയതി 11.6.99 പ്രകാരം എല്ലാ സ്വയംഭരണ സ്ഥാപനങ്ങളും തീരദേശ നിയമം കർശനമായി പാലിക്കണമെന്ന് നിർദ്ദേശം നൽകിയിട്ടുണ്ട്.†

(ബി) നിർദ്ദേശത്തിന്റെ പകർപ്പ് അനുബന്ധം 1,2 ചേർത്തിട്ടുണ്ട്.

(സി) തീരദേശ നിയമം നടപ്പാക്കുന്നത് സംബന്ധിച്ച് തദ്ദേശ സ്വയംഭരണ സ്ഥാപനങ്ങളിലെ ഉദ്യോഗസ്ഥന്മാർക്ക് 1998 നവംബർ മാസത്തിൽ 10 ജില്ലകളിലായി ഒരു ദിവസത്തെ ശില്പശാല, ഭൗമശാസ്ത്രപഠനകേന്ദ്രവും സ്റ്റെഡും ചേർന്ന് നടത്തിയിട്ടുണ്ട്. വേണ്ടിവന്നാൽ പരിശീലനം ഇനിയും നൽകുന്നകാര്യം പരിഗണിക്കുന്നതാണ്.

(ഡി) 1998 നവംബറിൽ ശാസ്ത്ര സാങ്കേതിക പരിസ്ഥിതി വകുപ്പു പ്രസിദ്ധീകരിച്ച കേരളത്തിന്റെ തീരദേശ മാനേജ്മെന്റ് പ്ലാനിൽ സംസ്ഥാനത്തെ വിവിധ പഞ്ചായത്തുകൾ, മുനിസിപ്പാലിറ്റികൾ, കോർപ്പറേഷൻ എന്നിവയെ വിവിധ സോണുകളായി (സോൺ 1,2,3) തരം തിരിച്ച് അവയുടെ പ്ലാനുകളും വിസ്തീർണ്ണവും രേഖപ്പെടുത്തിയിട്ടുണ്ട്.

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† അനുബന്ധം - V (1,2)

† ലൈബ്രറിയിൽ വച്ചിട്ടുണ്ട്.

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(ഇ) തീരദേശ മാനേജ്മെന്റ് പ്ലാൻ എല്ലാ തദ്ദേശ സ്ഥാപനങ്ങൾക്കും നൽകിയിട്ടുണ്ട്.

91 (2277) തീരദേശ നിയന്ത്രണ നിയമത്തിന്റെ വ്യവസ്ഥകൾ

ശ്രീ. നാലകത്ത് സൂപ്പി :
ശ്രീ. എം.കെ. മുനീർ :
ശ്രീ. കെ. കുട്ടി അഹമ്മദ് കുട്ടി :
ശ്രീ. സി.ടി. അഹമ്മദ് അലി :
ശ്രീ. പി.കെ. അബ്ദുറബ്ബ് : താഴെ കാണുന്ന ചോദ്യങ്ങൾക്ക് മുഖ്യമന്ത്രി സദയം മറുപടി നൽകുമോ:

(എ) തീരദേശ നിയന്ത്രണ നിയമത്തിന്റെ വ്യവസ്ഥകളെപ്പറ്റിയും അതനുസരിച്ച് നിർവഹിക്കേണ്ട ചുമതലകളെപ്പറ്റിയും തദ്ദേശസ്വയംഭരണ സ്ഥാപനങ്ങളിലെ ജീവനക്കാരെ ബോധവൽക്കരിക്കുന്നതിന് സംവിധാനം ഉണ്ടോ; എങ്കിൽ വ്യക്തമാക്കുമോ; നിയമലംഘനത്തിന്റെ പേരിൽ ഈ സ്ഥാപനങ്ങളുടെ സെക്രട്ടറിമാർക്ക് എതിരെ ശിക്ഷണ നടപടികൾ സ്വീകരിക്കുന്നുയെന്ന പരാതി സർക്കാരിന്റെ ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ടോ;

(ബി) ഇതുവരെ എത്ര ജീവനക്കാർക്കെതിരെ നടപടി സ്വീകരിച്ചിട്ടുണ്ട്;

(സി) ഇവർക്കായി ബോധവൽക്കരണ പരിപാടി ആരംഭിക്കുമോ?

ഉത്തരം

(എ) ഉണ്ട്. തീരദേശ നിയന്ത്രണ നിയമം നടപ്പാക്കുന്നതോടനുബന്ധിച്ച് തീരദേശജില്ലകളിലെ തദ്ദേശ സ്വയംഭരണ സ്ഥാപനങ്ങളിലെ ഉദ്യോഗസ്ഥർ, ജനപ്രതിനിധികൾ, മറ്റു വികസന വകുപ്പുകളിലെ ഉദ്യോഗസ്ഥർ എന്നിവർക്ക് ശാസ്ത്ര സാങ്കേതിക പരിസ്ഥിതി വകുപ്പും ഭൗമശാസ്ത്ര പഠനകേന്ദ്രവും സംയുക്തമായി താഴെ കാണിച്ചിരിക്കുന്ന തീയതികളിൽ പരിശീലനം/ബോധവൽക്കരണം നൽകിയിട്ടുണ്ട്.

1.	തിരുവനന്തപുരം ജില്ല	-	98 ഒക്ടോബർ 22,23
2.	കാസർഗോഡ് ജില്ല	-	നവംബർ 4
3.	കണ്ണൂർ ജില്ല	-	നവംബർ 5
4.	കോഴിക്കോട് ജില്ല	-	നവംബർ 6
5.	മലപ്പുറം ജില്ല	-	നവംബർ 7
6.	കൊല്ലം ജില്ല	-	നവംബർ 10
7.	കോട്ടയം ജില്ല	-	നവംബർ 11
8.	എറണാകുളം ജില്ല	-	നവംബർ 12
9.	തൃശ്ശൂർ ജില്ല	-	നവംബർ 13
10.	ആലപ്പുഴ ജില്ല	-	ഡിസംബർ 15

തീരദേശ നിയമ ലംഘനത്തിന് ഉത്തരവാദിയായ ഗ്രാമ പഞ്ചായത്ത് സെക്രട്ടറിമാരുടെ പേരിൽ ശിക്ഷണ നടപടികൾ കൈക്കൊള്ളുന്നുണ്ട്.

(ബി) നാലുപേർക്കെതിരെ നടപടി സ്വീകരിച്ചിട്ടുണ്ട്.

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26. Sri. T.M. Jacob
27. Sri. Alex Koshy
28. Sri. P. Rajendraprasad
29. Sri. M.M. Mathai
30. Sri. M.A. Yusuf Ali
31. Sri. Rajan Danial
32. Dr. Kumar Bahuleyan
33. Dr. P.A. Thilakarajan
34. Sri. E.M. Babu
35. Sri. B.R. Shetty
36. Sri. M.K. Kamaluddin
37. Sri. George Varghese
38. Sri. Edwin Joe
39. Sri. V.O. George Veliyath

അനുബന്ധം - V-1

12-7-1999-ലെ നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നമ്പർ 87 (2276) കാണുക.

GOVERNMENT OF KERALA

LOCAL ADMINISTRATION (E) DEPARTMENT

No. 44277/E3/96/LAD.

Thiruvananthapuram,
Dated: 29-9-1997.

From

The Secretary to Government.

To

1. The Director of Municipalities.
2. The Director of Panchayats.
3. The Secretary, ...
   Development Authorities/Municipal Corporations.
4. The Secretary, Goshree Islands Development Authority, Cochin.
5. The Chief Town Planner, Thiruvananthapuram.

Sir,

Sub:- Environmental Protection – Supreme Courts' Orders – Compliance of – Reg.

Ref:- Notification dated 19-2-1991 of the Government of India, Ministry of Environment and Forests.

LIBRARY ARCHIVES Kerala Legislative Assembly

I am to inform you that the Government of India, Ministry of Environment and Forests have as per the Notification cited (copy enclosed) prohibited certain activities within the Coastal Regulation Zone and imposed certain restrictions within the Zone.

The relevant provisions of the orders dated 12-12-1994 of Hon'ble Supreme Court of India in Writ petition No. 664 of 1993 are extracted below:-

".....The respondent states are in the process of filing the replies to the Writ petition. Meanwhile we direct all the respondent states not to permit the setting up of any Industry or the construction of any type on the area atleast upto 500 metres from the Sea water at the maximum High Tide. The above said area i.e. from the High Tide Level upto 500M shall be kept free from all construction of any type."

The Hon'ble Supreme Court modified aforesaid orders on 9-3-1995 in the following terms:-

"We modify our order dated December 12, 1994 and direct that all the restrictions, prohibitions regarding construction and setting up of industries or for any other purpose contained in the Notification dated 19-2-1991 issued by the Ministry of Environment and Forests, Government of India under clause (d) of sub rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 shall be meticulously followed by all the concerned States. The activities which have been declared as prohibited within the Coastal Regulation Zone shall not be undertaken by any of the respondent States. The regulations of permissible activities shall also be meticulously followed. The restrictions imposed by the Coastal areas classification and Development Regulations contained in Annexure I to the above said Notification shall also be strictly followed by the respondent States."

The Hon'ble Supreme Court on 18.4.96 ordered that pending finalisation of the plans, the interim orders passed by the Hon'ble Supreme Court on 12-12-94 and 9-3-1995 shall continue to operate.

The above orders of Hon'ble Supreme Court should be strictly complied with and any violation of these directions may result in contempt of Court proceedings being initiated.

In the circumstances I am to request you to ensure strict compliance of the directions contained in the Government of India Notification cited and the above orders of Hon'ble Supreme court. Any lapse in this regard will be personal and will be dealt with seriously.

Yours faithfully,

S.M. VIJAYANAND

SECRETARY TO GOVERNMENT

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MINISTRY OF ENVIRONMENT AND FORESTS

(Department of Environment, Forests and Wildlife)

NOTIFICATION UNDER SECTION 3(1) AND SECTION 3(2) (V) OF THE ENVIRONMENT (PROTECTION ACT, 1986 AND RULE 5(3)(d) OF ENVIRONMENT (PROTECTION) RULES, 1986 DECLARING COASTAL STRETCHES AS COASTAL REGULATION ZONE (CRZ) AND REGULATING ACTIVITIES IN THE CRZ.

New Delhi, the 19th February, 1991

S.O. 114(E) - where as a Notification under section 3(1) and Section 3(2)(v) of the Environment (Protection) Act, 1986, inviting objections against the declaration of Coastal Stretches as Coastal Regulation Zone (CRZ) and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O. No. 944(E) dated 15th December, 1990.

And whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwater which are influenced by tidal action (in the landward side) upto 500 metres from the High Tide Line (HTL) and the land between the Low Tide Line (LTL) and the HTL, as Coastal Regulation Zone; and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries. Operations or processes etc. in the said Coastal Regulation Zone (CRZ). For purposes of this Notification the High Tide Line (HTL) will be defined as the line upto which the highest high tide reaches at spring tides.

NOTE:- The distance from the High Tide Line to which the proposed regulations will apply in the case of rivers, creeks and backwater may be modified on a case by case basis for reasons to be recorded while preparing the Coastal Zone Management Plans (referred to below; however, this distance shall not be less than 100 metre or the width of the creek, river or backwater whichever is less.

2. Prohibited Activities:

The following activities are declared as prohibited within the Coastal Regulation Zone, namely;

(i) setting up of new industries and expansion of existing industries, except those directly related to water front or directly needing foreshore facilities;

(ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government

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of India in the Ministry of Environment & Forests No. S.O. 594(E) dated 28th July, 1989, S.O. 966(E) dated 27th November, 1989 and CSR 1047(E) dated 5th December, 1989;

(iii) Setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);

(iv) Setting up and expansion of units mechanisms for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974; and except for strom water drains;

(v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;

(vi) dumping of city or town waste for the purposes of land filling or otherwise; the existing practice, if any, shall be phated out within a reasonable time not exceeding 3 years from the date of this Notification;

(vii) dumping of ash or any wastes from thermal power stations;

(viii) land reclamation, bunding or disturbing the natural course of sea water with similar obstructions, except those required for control of coastal erosion and maintenance or cleasing of water ways, channels and ports and for prevention of sandbars and also except for tidal regulators. Storm water drains and structures for prevention of salinity ingress and for sweet water recharge;

(ix) mining of lands, rocks and other substrata materials, except those rare minerals not available outside the CRZ areas;

(x) harvesting of drawal of ground water and construction of mechanisms therefore within 200 M of HTL in the 200 M to 500 M zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;

(xi) construction activities in ecologically sensitive areas as specified in Annexure-I of this Notification.

(xii) any construction activity between the Low tide Line and High Tide line except facilities for carrying treated effluents and waste water discharges into the sea facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and

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facilities essential for activities permitted under this Notification and

(xiii) dressing or altering of sand dunes, hills natural features including landscape changes for beautification, recreational and other such purpose, except as permissible under this notification.

3. Regulation of permissible activities;

All other activities, except those prohibited in para 2 above, will be regulated as under;

1. Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.

2. The following activities will require environmental clearance from the Ministry of Environment and Forests, Government of India, namely:

(i) Construction activities related to Defence requirements for which foreshore facilities are essential (eg. slipways, jetties etc.); except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ);

(ii) Operational constructions for ports and harbours and light house requiring water frontage; jetties wharves, quays, slipways etc. (Residential buildings and Office buildings shall not come within the definition of operational activities except in very special cases and hence shall not normally be permitted in the CRZ);

(iii) Thermal power plants (only foreshore facilities for transport of raw materials facilities for in-take of cooling water and outfall for discharge of treated waste water cooling water); and

(iv) All other activities with investment exceeding rupees five crores.

(3) (i) The Coastal States and Union Territory Administrations shall prepare, within a period of one year from the date of this Notification. Coastal Zone Management plans identifying and classifying the CRZ areas within their respective territories and in accordance with the guidelines given in the Annexures-I and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment and Forests;

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(ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government. Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures-I and II of the Notification; and

(iii) In the interim period till the Coastal Zone Management plans mentioned in para 3(3)(i) above are prepared and approved all developmets and activities within the CRZ shall not violate the provisions of this Notification. State Governments and Union Territory Administrations shall ensure adherence to these regulations and violations, if any, shall be subject to the provisions of the Environment (Protection) Act, 1986.

4. Procedure for monitoring and enforcement

The Ministry of Environment and Forests and the Government of State or Union Territory and such other authorities at the State or Union Territory levels, as may be designated for this purpose, shall be responsible for monitoring and enforcement of the provisions of this notification within their respective jurisdictions.

(N.K. 15019/1/84-1A-III(Vol.II)

R. RAJAMANI, Secretary.

ANNEXURE – I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS.

Classification of Coastal Regulation Zone;

6(1) For regulating development activities, the coastal stretches within 500M of High Tide Line of the landward side are classified into four categories, namely;

Category I (CRZ-I)

(1) areas that are ecologically sensitive and important, such as national parks, marine parks, sanctuaries, reserve forests, wildlife habitats, mangroves, corals/coral reefs, areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty/historical/heritage areas, areas rich in genetic diversity, areas likely to be inundated due to rise in sea level consequent upon global warming and such other areas as may be declared by the Central Government or the concerned authorities at the State/Union Territory level from time to time.

(ii) Are between the Low Tide Line and the High Tide Line.

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Category II (CRZ-II)

The areas that have already been developed upto or close to the shore-line. For this purpose, developed area'' is referred to as that area within the municipal limits or in other legally designated urban areas which is already substantially built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.

Category III (CRZ-III)

Areas that are relatively undisbursed and those which do not belong to either Category I and II. These which be coastal zone in the rural area (developed and undeveloped) and also areas within Municipal limits or in other legally designated urban areas which are not substantially built up.

Category IV (CRZ-IV)

Coastal stretches in the Andaman and Nicobar, Lakshadweep and small islands except those designated as CRZ-I, CRZ-II or CRZ-III.

Norms for Regulation of Activities

6(2) The development or construction activities in different categories of CRZ areas shall be regulated by the concerned authorities at the State Union Territory level, in accordance with the following norms;

CRZ-I

No new construction shall be permitted within 500 M of the High Tide Line. No construction activity, except as listed under 2(xii), will be permitted between the Low Tide Line and High Tide Line.

CRZ-II

(i) Building shall be permitted neither on the seaward side of the existing road (or roads proposed in the approved Coastal Zone Management plan of the area) nor on seaward side of existing authorised structure. Buildings permitted on the landward side of the existing and proposed roads existing authorised structures shall be subject to the existing Local Town and Country Planning Regulations including the existing norms of FSI/FAR.

(ii) Reconstruction of the authorised buildings to be permitted subject with the existing FSI/FAR norms and without change in the existing use.

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

CRZ-III

(i) The area upto 200M from the High Tide Line is to be earmarked as "No Development Zone'. No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density. However, the following uses may be permissible in this zone, agriculture, horticulture, gardens, pastures, parks, playfields, forestry and salt manufacture from sea water.

(ii) Development of vacant plots between 200M and 500M of High Tide Line in designated areas of CRZ-III with prior approval of MEF

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permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.

(iii) Construction/reconstruction of dwelling units between 200 and 500M of the High Tide Line permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for each contstruction/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number existing units; total covered area on all floors shall not exceed 33 percent of the plot size; the overall height of construction shall not exceed 9M and construction shall not be more than 2 floors (ground floor plus one floor).

(iv) Reconstruction/alterations of an existing authorised building permitted suibject to (i) to (iii) above.

CRZ-IV

Andaman and Nicobar Islands:

(i) No new construction of buildings shall be permitted within 200M of the HTL.

(ii) The buildings between 200 and 500M from the High Tide Line shall not have more than 2 floors (ground floor and Ist floor), the total covered area on all floors shall not be more than 50 percent of the plot size and the total height of construction shall not exceed 9m;

(iii) The design and construction of buildings shall be consistent with the surroundings landscape and local architectural style.

(iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;

(v) Dredging and underwater blasting in and around coral cormation shall not be permitted; and

(vi) However in some of the islands, coastal stretches may also be classified into categories CRZ-I of II or III. with the prior approval of Ministry of Environment and Forests and in such designated stretches the appropriate regulations given for respective Categories shall apply.

Lakshadweep and small Islands

(i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment and Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects, crosion and ecological sensitivity;

(ii) The buildings within 500M from the HTL shall not have more than 2 floors (ground floor and Ist floor), the total covered area on all floors shall not be more than 50 percent of the plot size and the total height of construction shall not exceed 9 metres;

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(iii) The design and construction of buildings shall be consistent with the surrounding-landscape and local architectural style;

(iv) Corals and sand from the beaches and coastal waters, shall not be used for construction and other purposes.

(v) Dredging and underwater blasting in and around lagoons and coral formations shall not be permitted and

(vi) However in some of the Islands coastal stretches may also be classified into categories CRZ-I or II or III, with prior approval of Ministry of Environment and Forests and in such designated stretches, the appropriate regulations given for respective categories shall apply.

Lakshadweep and small Islands;

(i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island in consultation with the experts and with approval of the Ministry of Environment and Forests, keeping in view the land use requirements for specific purpose vis-a-vis local conditions including hydrological aspects, crosion and ecological sensitivity.

(ii) . The buildings within 500M from the HTL shall not have more than 2 floors (ground floor and Ist floor), the total covered area on all floors shall not be more than 50 percent of the plot size and the total height of construction shall not exceed 9 metres.

(iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

(iv) Corals and sand from the beaches and coastal waters, shall not be used for construction and other purposes.

(v) Dredging and underwater blasting in and around lagoans and coral formations shall not be permitted; and

(vi) However in some of the islands coastal stretches may also be classified into categories CRZ-I or II or III, with prior approval of Ministry of Environment and Forests and in such designated stretches, the appropriate regulations given for respective categories shall apply.

ANNEXURE-II

GUIDELINES FOR DEVELOPMENT OF BEACH RESORTS HOTELS IN THE DESIGNATED AREAS OF CRZ-III FOR TEMPORARY OCCUPATION OF TOURIST/VISITORS WITH PRIOR APPROVAL OF THE MINISTRY OF ENVIRONMENT AND FORESTS.

7(1) Construction of beach resorts/hotels with prior approval of MEF in the designated areas of CRZ-III for temporary occupation of tourists/visitors shall be subject to the following conditions;

(i) The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200M (in the landward side) from the High Tide Line and within the area between the Low Tide and High Tide Line;

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(ii) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the FSI shall not exceed 0.33. The open area shall be suitably landscaped with appropriate vegetal cover;

(iii) The construction shall be consistent with the surrounding landscape and local architectural style;

(iv) The overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (Ground floor plus one upper floor);

(v) Ground water shall not be tapped within 200 M of the HTL; within the 200 metre – 500 M zone it can be tapped only with the concurrence of the Central/State Ground Water Board;

(vi) Extraction of sand, levelling of digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500 M of the High Tide Line;

(vii) The quality of treated effluents, solid wastes, emissions and noise levels etc. from the project area must confrom to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (protection) Act, 1986;

(viii) Necessary arrangements for the treatment of the effluents and solid waste must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the boach; and no effluent solid waste shall be discharged on the beach;

(ix) To allow public access to the beach, atleast a gap of 20 M width shall be provided between any two hotels beach resorts; and in no case shall gaps be less than 500 metres apart; and

(x) If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with.

(xi) Approval of the State/Union Territory Tourism Department shall be obtained.

7(2) In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other areas as may be notified by the Central/State Government/Union Territories) construction of beach resorts/hotels shall not be permitted.

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GOVERNMENT OF KERALA

Abstract

Science, Technology and Environment Department-Enforcement of Coastal Regulation Zone Notification – Implementations of the directions in the Judgement Dated: 24-3-1999 in O.P. No. 20278/97. – Orders issued.

SCIENCE, TECHNOLOGY AND ENVIRONMENT (B) DEPARTMENT

G.O. (Rt) No. 192/99/STED. Dated, Thiruvananthapuram, 11-6-'99

Read:- Judgement of the Honourable High Court in O.P. No. 20278/97 Dated: 24.3.'99

ORDER

The Honourable High Court in the Judgement dated: 24.3.99 in O.P. No. 20278/97 has directed the Government, its departments and the local authorities that while dealing with the request for permission for making construction in the coastal areas the above authorities should ensure that the proposed construction does not in any manner violate the coastal zone management plan now approved. It is also ordered that steps should be taken to stop any construction that is being made in violation of the coastal zone management plan now finalised and approved.

2. In pursuance of the above directions of the Honourable High Court, Government order that while dealing with the request for permission for making construction in the coastal areas all local bodies should ensure that the proposed construction is not in any manner violative of the Coastal Zone Management Plan now approved. Government also order that immediate steps should be taken to stop all constructions that are being made in violation of the Coastal Zone Management Plan now approved.

3. The local bodies such as Grama/Block/District panchayats will also take immediate action to demarcate the High Tide Line and Coastal Zone Regulation areas on Cacastral scale for the entire, Coastal Regulation Zone of their respective areas in all Panchayats, Municipal, Corporations and other areas of the state and put up, board/marks so as to identify the areas.

(BY ORDER OF THE GOVERNOR)

Prof. M. Jayakumar

Director, STED and Ex-officio
Additional Secretary to Government.

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